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TAGS: KCRM, PREL, KGCC, EFIN, SNAR, SENV, RS
SUBJECT: BILATERAL LAW ENFORCEMENT WORKING GROUP
MEETINGS MAY 11-12

REF: MOSCOW 12002

THIS MESSAGE IS SENSITIVE BUT UNCLASSIFIED. NOT FOR
INTERNET DISSEMINATION.

1. (U) THE U.S.-RUSSIA LAW ENFORCEMENT WORKING GROUP

UNCLASSIFIED U.S. Department of State Case No. F-2011-05339 Doc No. C17644971 Date: 06/03/2014
(LEWG), CREATED AT THE SEPTEMBER 1998 MOSCOW SUMMIT BY
PRESIDENTS CLINTON AND YELTSIN TO PROVIDE HIGH-LEVEL
POLICY OVERSIGHT AND COORDINATION OF JOINT U.S.-RUSSIAN
LAW ENFORCEMENT ACTIVITIES, MET FOR THE FIRST TIME IN
MOSCOW MAY 11-12. THE WORKING GROUP IS PART OF THE
U.S.-RUSSIA JOINT COMMISSION ON ECONOMIC AND
TECHNOLOGICAL COOPERATION AND REPORTS DIRECTLY TO THE
COMMISSION'S CO-CHAIRMEN, THE U.S. VICE PRESIDENT AND
THE RUSSIAN PRIME MINISTER. THE CO-CHAIRS OF THE LEWG
ARE MFA LEGAL DEPARTMENT DIRECTOR LEONID SKOTNIKOV FOR
THE RUSSIAN SIDE AND INL/DAS JONATHAN WINER AND DEPUTY
ASSISTANT ATTORNEY GENERAL MARK RICHARD FOR THE U.S.
THIS CABLE PROVIDES A DETAILED DESCRIPTION OF THE
DISCUSSIONS.

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2. (U) TABLE OF CONTENTS:

--VIEWS ON THE THREAT OF CRIME, PARA 3
--MUTUAL LEGAL ASSISTANCE, PARAS 4-7
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VIEWS ON THE THREAT OF CRIME

3. (SBU) THE U.S. DELEGATION LED THE DISCUSSION ON
VIEWS ON THE THREAT OF CRIME. DELEGATION MEMBER BRYAN
SODERHOLM DESCRIBED THE WIDE VARIETY OF ISSUES THE U.S.
CONSIDERS AS CRIME THREATS: DRUG TRAFFICKING,
TRAFFICKING IN WOMEN AND CHILDREN, ARMS SMUGGLING,
SMUGGLING OF OTHER GOODS INCLUDING CARS, OZONE-
DEPLETING SUBSTANCES AND PIRATED GOODS, OTHER IPR
VIOLATIONS, COUNTERFEIT CURRENCY, CYBERCRIME, ECONOMIC,
HIGH TECH AND FINANCIAL CRIMES (ESPECIALLY CRIMES

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COMMITTED THROUGH ELECTRONIC COMMERCE), AND MONEY
LAUNDERING. HE DISCUSSED THE PERVASIVE AND
INTERNATIONAL PRESENCE OF RUSSIAN ORGANIZED CRIME
GROUPS AND THE NEED FOR COOPERATION TO EFFECTIVELY
COMBAT THE INCREASING THREAT. THE RUSSIAN RESPONSE
FOCUSED ON THE NEED TO DEFINE MONEY LAUNDERING IN AN
EFFORT TO ACCOUNT FOR CRIMINAL ACTS, ILLEGAL CAPITAL
FLIGHT AND ILLEGAL APPROPRIATION OF FUNDS.

MUTUAL LEGAL ASSISTANCE

4. (SBU) BOTH SIDES AGREED ON THE NEED TO MOVE FORWARD
ON THE MLAT, ALTHOUGH EACH SIDE NOTED NUMEROUS PROBLEMS
WITH IMPLEMENTATION OF THE 1995 MUTUAL LEGAL ASSISTANCE
AGREEMENT, WHICH WOULD NEED TO ADDRESSED IN THE CONTEXT
OF IMPLEMENTING THE MALT AS WELL. THE REPRESENTATIVE
OF THE RUSSIAN JUSTICE MINISTRY RECALLED THAT AN
EXTRADITION TREATY AND AN MLAT FOR CIVIL CASES HAD BEEN
PROPOSED YEARS EARLIER BY THE GOR AND SHOULD FOLLOW
APPROVAL OF THE MLAT. THE RUSSIANS INDICATED THAT THE
CIVIL MLAT WAS OF A HIGHER PRIORITY FOR THE GOR THAN AN
EXTRADITION TREATY. DRAFTS OF EACH OF THESE WERE
PASSED TO THE U.S. TWO YEARS AGO AND THE RUSSIAN
DELEGATION REQUESTED U.S. COMMENT TO THOSE.

5. (SBU) BOTH SIDES FURTHER NOTED THAT THE MLAT

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RATIFICATION PROCESS COULD BE A LENGTHY ONE AND INTERIM
EFFORTS SHOULD INCLUDE SIMULTANEOUS WORK TO ENHANCE THE
EXISTING AGREEMENT. THE U.S. IDENTIFIED AS KEY
OBSTACLES TO COOPERATION THE LACK OF AN EFFECTIVE
ESTABLISHED CENTRAL AUTHORITY IN RUSSIA TO ACCOMPLISH
THE EXECUTION OF A REQUEST AND THE LACK OF CONTINUITY
OF PERSONNEL. THE U.S.

AND RUSSIANS AGREED THAT
PERSONNEL EXCHANGES BETWEEN COUNTERPART AGENCIES WOULD
ENHANCE MUTUAL UNDERSTANDING OF OPERATIONS AND
NEEDS.

6. (SBU) THE REPRESENTATIVE FROM THE PROCURATOR
GENERAL'S OFFICE (PGO) SAID THAT DESPITE OBJECTIONS TO
PROVISIONS IN THE MLAT AS DRAFTED REGARDING ARTICLE 18
ON ASSETS FORFEITURE AND ARTICLE 8 REGARDING EXPENSES,
THE PGO HAD AGREED TO MOVE THE TREATY AHEAD. THE PGO
EXPRESSED CONCERN THAT THE ARRESTING SIDE DISPOSES OF
SEIZED FUNDS OR GOODS AT ITS DISCRETION. THE SPEAKER
COMMENTED THAT IT WAS MORE IMPORTANT TO ACCEPT THE
TREATY DUE TO ITS IMPORTANT NATURE, THAN REJECT IT
BECAUSE OF ONE CLAUSE, BUT THAT THIS CLAUSE MAY PROVE

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7. (SBU) DOJ DAAG MARK RICHARD RESPONDED THAT THE U.S. IS PREPARED TO SHARE FORFEITED ASSETS BUT U.S. LAW IS "TRICKY" AND THE MECHANISM FOR SHARING IS NOT SIMPLE. MOREOVER, U.S. AND GOR PROCEDURES DIFFER SIGNIFICANTLY. THESE ARE ISSUES THAT WILL HAVE TO BE WORKED OUT WITH TIME. THE U.S. SIDE ALSO ADVISED THE RUSSIANS ABOUT THE POSSIBILITY OF HIRING PRIVATE COUNSEL IN THE U.S. AND PURSUING CIVIL ACTION IN U.S. COURTS TO RECOUP LOOTED ASSETS. (NOTE: ON THE MARGINS OF THE MEETING, U.S. AND RUSSIAN NEGOTIATORS DID REACH AGREEMENT ON THE TEXT OF THE MLAT.)

MONEY LAUNDERING

8. (SBU) RUSSIA LED THE DISCUSSION WITH THE STATUS OF ITS REVISED MONEY LAUNDERING LEGISLATION NOTING THAT IT WAS STILL WITH THE JOINT STATE DUMA/FEDERATION COUNCIL COMMISSION, BUT APPROVAL IS POSSIBLE BY THE END OF SUMMER OR FALL. THE MINISTRY OF INTERNAL AFFAIRS (MVD) NOTED THE APRIL 6 CREATION OF AN INTERAGENCY GROUP TO COMBAT MONEY LAUNDERING, INCLUDING 32 PERSONS FROM MVD, MINISTRY OF JUSTICE, CENTRAL BANK OF RUSSIA (CBR), TAX POLICE AND THE FEDERAL SECURITY SERVICE (FSB). THE "CENTER", AS THE RUSSIAN DELEGATE REFERRED TO IT, WAS DESIGNED TO ORGANIZE AGENCIES' EFFORTS TO COMBAT MONEY LAUNDERING AND ACCELERATE EFFORTS TO JOIN THE STRASBOURG CONVENTION. (NOTE: ON THE MARGINS OF THE
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PLENARY SESSION, THE U.S. SIDE ASKED FOR, AND THE RUSSIANS AGREED TO PROVIDE, A COPY OF THE IMPLEMENTING DOCUMENTATION FOR THE "CENTER".) FINALLY, THE RUSSIAN DELEGATION NOTED THAT NO ONE RUSSIAN AGENCY HAD ALL THE POWERS, BUT ALL AGENCIES COMBINED HAVE SUFFICIENT AUTHORITY TO COMBAT MONEY LAUNDERING.

9. (SBU) THE U.S. DELEGATION RESPONDED BY EMPHASIZING THE IMPORTANCE OF THE LEGISLATION, THE NEED FOR SELF-ASSESSMENT AND FATF MUTUAL ASSESSMENT, AND THE NEED TO IDENTIFY A LEAD AGENCY ON MONEY LAUNDERING IN RUSSIA. FURTHER, THE U.S. OFFERED ASSISTANCE WITH A MOCK-FATF ASSESSMENT TO ALLOW RUSSIA TO GAUGE ITS PROGRESS AND TO PROVIDE A DESIGN FOR FUTURE U.S. ASSISTANCE. THE U.S. EXPRESSED ITS DESIRE TO ENGAGE IN A DIALOGUE ON OFFSHORE TRANSACTIONS AND ACTIVITIES, AND PROVIDED THE

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ACCOUNTING DOCUMENTS. GREENBURG PROVIDED THE RUSSIANS
A LIST OF RUSSIAN BANKS WHICH THE U.S. OBTAINED FROM
THE OFFSHORE GROUP OF BANKING SUPERVISORS. HE
EXPLAINED THAT U.S. AGENCIES WERE, LIKE THE RUSSIANS,
TRYING TO LOOK AT RUSSIAN MONEY FLOWS AND DETERMINE
WHETHER THE MONEY WAS FLIGHT CAPITAL, LOOTED ASSETS OR
THE PROCEEDS OF ORGANIZED CRIME. FINCEN AND OTHER
AGENCIES, HE NOTED, WERE LOOKING AT MONEY FLOWS INTO
THE U.S. FROM RUSSIA AND
OTHER COUNTRIES WHICH HAD A
POSSIBLE RUSSIAN CONNECTION. GREENBURG NOTED THAT THE
STUDY WAS IN ITS EARLY PHASE AND THAT THE U.S. WAS
UNABLE, AT THIS POINT TO VERIFY PRELIMINARY RESULTS OF
ITS REVIEW.

11. (SBU) INL DAS WINER CONCLUDED THE CONVERSATION
SUMMARIZING THE OFFERS OF: THE U.S. ALONE OR WITH
OTHERS ASSESSING THE GOR'S PROGRESS REGARDING THE FATF
40; THE SELF-ASSESSMENT QUESTIONNAIRE WHICH WAS PASSED
TO THE RUSSIANS DURING THE MEETING FOR THEIR REVIEW;
AND THE POSSIBILITY OF A U.S. TREASURY ENFORCEMENT TEAM
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VISIT TO CONDUCT AN ASSESSMENT, REVIEWING RUSSIAN MONEY
LAUNDERING STATUS AND CONDITIONS SINCE THE EVENTS OF
AUGUST, 1998. THE TEAM COULD COME AS EARLY AS JULY TO
WORK ON THE MARGINS OF THE G-8 CRIME MINISTERIAL
PLANNING SESSION OR AT A LATER DATE.

LEGAL SECTOR REFORM

12. (SBU) THE RUSSIAN JUDICIAL DEPARTMENT OF THE
SUPREME COURT LED THE DISCUSSION ON LEGAL SECTOR
REFORM, COMMENTING PRIMARILY ON THE NEED FOR FINANCIAL

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SUPPORT. WITHOUT FINANCIAL SUPPORT FOR THE INDEPENDENT
COURTS, THEY SUGGESTED, JUDICIAL REFORM WOULD SUFFER.
WHILE THEY NEEDED 1.94 BILLION RUBLES FOR CASES, ONLY
1.3 MILLION HAD BEEN ALLOCATED. AS A RESULT ONLY 20-25
PERCENT OF WHAT IS NEEDED FOR COURTS WILL BE SUPPORTED,
AND COULD MEAN NO WATER OR ELECTRICITY. USAID
RESPONDED TO THE GOR'S PRESENTATION NOTING THAT
ADEQUATE FINANCES ARE A KEY ELEMENT OF JUDICIAL
INTEGRITY. DOJ'S RESIDENT LEGAL ADVISOR DESCRIBED HIS
WORK WITH THE PROSECUTORS OFFICE AND OTHER AGENCIES AND
PROPOSED NEW AREAS OF COOPERATION, INCLUDING PRETRIAL
DETENTION. DEPARTMENT OF COMMERCE SPECIAL ADVISOR IGOR
ABRAMOV DESCRIBED THE RULE OF LAW PROJECTS ON
COMMERCIAL ARBITRATION AND ENFORCEMENT OF COURT
JUDGMENTS AND ARBITRAL AWARDS OF THE BILATERAL
COMMISSION'S BUSINESS DEVELOPMENT COMMITTEE (BDC).

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CORRUPTION

13. (SBU) S/NIS SENIOR ADVISER NERISSA COOK LED THE
U.S. DELEGATION'S PRESENTATION ON CORRUPTION, STRESSING
THE LINK BETWEEN CORRUPTION AND ORGANIZED CRIME AND ITS
ROLE AS AN IMPEDIMENT TO TRADE, INVESTMENT AND ECONOMIC
GROWTH. COOK ADVOCATED A MULTIDISCIPLINARY APPROACH TO
THE FIGHT AGAINST CORRUPTION AND HIGHLIGHTED FIVE KEY
TOOLS TO COMBAT CORRUPTION: ENACTMENT OF STRONG
LEGISLATION TO DEAL WITH CORRUPTION, MONEY LAUNDERING,
AND ORGANIZED CRIME; EFFECTIVE ENFORCEMENT MECHANISMS;
THE INVOLVEMENT AND ROLE OF THE MEDIA AND NON-
GOVERNMENTAL INSTITUTIONS; THE ADOPTION OF BEST OR
EFFECTIVE PRACTICES; AND THE USE OF PROVEN ANALYTIC
TECHNIQUES TO PROVIDE AN ASSESSMENT OF INSTITUTIONAL
WEAKNESSES AND THE COSTS TO SOCIETY OF CORRUPT
PRACTICES (E.G. WORLD BANK DIAGNOSTICS).

14. COOK ALSO BRIEFED ON THE STATUS OF THE OECD ANTI-
BRIBERY CONVENTION. SHE NOTED THAT THE OECD WORKING
GROUP ON BRIBERY HAD BEGUN THE FIRST STAGE OF THE
MUTUAL REVIEW PROCESS THAT WILL EVENTUALLY ASSESS THE
IMPLEMENTING LEGISLATION AND ENFORCEMENT EFFORTS OF ALL
SIGNATORIES. SHE EMPHASIZED THAT THE U.S. GOAL IS TO
SEE THE STANDARDS SET VIA THE ANTI-BRIBERY CONVENTION
AND THE OECD RECOMMENDATION AGAINST THE TAX
DEDUCTIBILITY OF BRIBERY BECOME GLOBAL NORMS.
REGARDING ACCESSION TO THE CONVENTION BY NON-OECD

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MEMBERS SUCH AS RUSSIA, COOK NOTED THE U.S. POSITION
THAT INTERESTED SUPPLY-SIDE STATES SHOULD BE PREPARED
TO FULFILL THE REQUIREMENTS OF BOTH THE OECD
RECOMMENDATIONS AND THE CONVENTION ITSELF, INCLUDING
UNDERGOING MUTUAL EVALUATION.

15. (SBU) FOLLOWING COOK'S PRESENTATION, ABRAMOV
DISCUSSED THE ROLE OF THE BILATERAL COMMISSION'S
BUSINESS DEVELOPMENT COMMITTEE (BDC). HE PASSED A COPY
OF GUIDELINES FOR THE CODE OF BUSINESS CONDUCT TO THE
RUSSIAN DELEGATION, AND DISCUSSED AN ETHICS CODE FOR
GOVERNMENT OFFICIALS. LINDA WELLS FROM COMMERCE THEN
DISCUSSED THE BUSINESS-CRIME WORKING GROUP OF THE BDC
AND MENTIONED POSSIBLE TRAINING OPPORTUNITIES FOR THE
GOR IN VOLGOGRAD PLANNED FOR SEPTEMBER. THE DELEGATES
FROM THE U.S. DEPARTMENT OF COMMERCE ALSO DISCUSSED THE
BDC'S PROJECT ON CORPORATE GOVERNANCE AND SHAREHOLDER
RIGHTS. THE U.S. DELEGATION REQUESTED THE GOR PROVIDE
THE STATUS OF THE PENDING LEGISLATION ON CORRUPTION AND
ORGANIZED CRIME.

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16. (SBU) THE PROCURACY IDENTIFIED THE MOST IMPORTANT
TOOLS IN RUSSIA'S BATTLE AGAINST CORRUPTION AS EXISTING
LAWS INCLUDING CRIMINAL CODE PROVISIONS AGAINST ABUSE
OF POSITION, BRIBERY ETC., AND THE INCOME AND HOLDINGS
DISCLOSURE LAWS FOR CIVIL SERVANTS. THE PROCURACY
OVERSEES THE IMPLEMENTATION OF THESE LAWS. ACCORDING
TO THE PROCURACY, IN 1998 600 ILLEGAL ACTS WERE
COMMITTED BY CENTRAL AND LOCAL AUTHORITIES; 250
EMPLOYEES WERE DISCIPLINED; AND THERE WERE OVER 1200
APPLICATIONS TO REMOVE VIOLATORS. THE PGO CONCLUDED
ITS PRESENTATION NOTING THAT THE DIFFERENCES BETWEEN
THE U.S. AND GOR LEGAL SYSTEMS MAY REPRESENT AN
OBSTACLE.

17. (SBU) THE FSB IDENTIFIED REASONS FOR CORRUPTION IN
RUSSIA, INCLUDING THE TRANSITION PERIOD AND THE
PSYCHOLOGICAL REASONS AS CITIZENS GET HUNGRY FOR
LUXURY; UNDERPAID STATE OFFICIALS; AND PENETRATION OF
CRIMINAL GROUPS IN STATE ORGANIZATIONS. THE MVD NOTED
THAT THE SECURITY OF BUSINESSES WAS VERY IMPORTANT AND
THEY WERE WORKING TO ADOPT MEASURES TO FIGHT ECONOMIC
CRIMES. THEY HIGHLIGHTED THE MVD'S ECONOMIC CRIME UNIT
AND ITS EFFORTS TO IDENTIFY PROBLEMS FACED BY FOREIGN
BUSINESS. THE MVD ENCOURAGED THE U.S. TO CONVEY TO ITS
BUSINESSES THAT THEY SHOULD TURN TO GOR LAW ENFORCEMENT
BODIES WHEN THEY NEED ASSISTANCE.

18. (SBU) USAID'S CORBIN LYDAY CONCLUDED WITH A DISCUSSION OF THE MULTILATERAL ASPECTS AND EFFORTS AGAINST CORRUPTION. HE IDENTIFIED AN INFORMAL ANTI-CORRUPTION NETWORK FOR TRANSITION ECONOMIES THAT

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INCLUDES THE INTERNATIONAL DONOR COMMUNITY (GERMANS, DUTCH, CANADIANS, WORLD BANK, TRANSPARENCY INTERNATIONAL, AND OECD AMONG THEM); GOVERNMENT INSTITUTIONS RESPONSIBLE FOR CHANGING LAWS TO MAKE COUNTRIES MORE TRANSPARENT; AND NGOS. LYDAY DIRECTED THE PARTICIPANTS TO THE INTERNET SITE OF THIS EFFORT AT: WWW.NOBRIBES.ORG.

TATUM CASE

19. (SBU) REFERRING TO THE TYPE OF PROBLEMS BUSINESSES ENCOUNTER RELATED TO CORRUPTION, WINER REQUESTED AN UPDATE FROM THE RUSSIANS REGARDING THE PAUL TATUM MURDER FROM NOVEMBER 1996. WINER NOTED THAT DURING HIS VISIT LAST SPRING, THE MVD INFORMED HIM THEY KNEW THE IDENTITY OF THE KILLER, YET NO ONE HAD BEEN ARRESTED. THE RUSSIAN SIDE RESPONDED THAT THEY WOULD "INTENSIFY" THEIR EFFORTS TO FIND OUT THE STATUS OF THE INVESTIGATION. WINER ALSO RAISED THE ISSUE OF EFFORTS ON THE HERBERT GREGG CASE, THE AMERICAN CITIZEN BEING HELD FOR RANSOM BY A CRIMINAL GROUP IN THE NORTHERN CAUCASUS. WINER REITERATED VICE PRESIDENT GORE'S CONCERN (CONVEYED VIA LETTER TO PM PRIMAKOV ON MAY 12) FOR MR. GREGG AND THE USG OFFER OF CONTINUED ASSISTANCE TO MOVE THE CASE TO SUCCESSFUL CONCLUSION. ABRAMOV ALSO URGED THE RUSSIAN SIDE'S ATTENTION TO ASSET

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TRANSFERS AND SHARE DILUTIONS BY YUKOS WHICH AFFECT
BOTH RUSSIAN AND FOREIGN MINORITY SHAREHOLDERS ALIKE
AND HAVE GAINED SIGNIFICANT NEGATIVE ATTENTION IN THE
WESTERN MEDIA.

INTELLECTUAL PROPERTY RIGHTS

20. (SBU) DOJ'S ROSLYN MAZER LED THE U.S. DELEGATION'S
PRESENTATION ON INTELLECTUAL PROPERTY (IP) RIGHTS BY
HIGHLIGHTING THE DETRIMENTAL EFFECTS AND HARMS CAUSED
BY IPR VIOLATIONS INCLUDING LOSS OF REVENUES; ABSENCE
OF IP PROTECTION AS PROPORTIONAL TO LEVELS OF FOREIGN
INVESTMENT; ROLE OF ORGANIZED CRIME IN IP THEFT; AND
PROTECTION OF CULTURE. MS. MAZER REVIEWED HER MEETINGS

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NOTIONS OF IP SPECIALISTS AND SPECIALTIES AND THE
RECOGNITION THAT ALL AREAS OF EXPERTISE (E.G. MONEY
LAUNDERING AND ORGANIZED CRIME) NEED TO BE ENGAGED IN
THE EFFORT TO COMBAT IP CRIMES. MAZER CONCLUDED BY
ENCOURAGING THE INTEGRATION BETWEEN BORDER INSPECTION
AND CONTROL, LAW ENFORCEMENT INVESTIGATIONS TO DEAL
WITH ORGANIZED CRIME GROUPS AND AGGRESSIVE/EFFECTIVE
PROSECUTIONS.

21. (SBU) THE RUSSIAN MINISTRY OF JUSTICE RESPONDED BY
DESCRIBING EFFORTS TO BRING GOR LEGISLATION ON IP
PROTECTION CLOSER TO INTERNATIONAL STANDARDS. THEY
SUGGESTED RUSSIA HAD A STRONG LEGISLATIVE BASIS BUT
LACKED INVESTIGATING AND ADJUDICATING SKILLS. THE MVD
DESCRIBED A SPECIAL UNIT CREATED TO FIGHT IP
VIOLATIONS. THEY ENCOURAGED CONSOLIDATION OF
COOPERATION BETWEEN RIGHTS HOLDERS AND ENFORCEMENT
OFFICIALS. THE RUSSIAN DELEGATION DISCUSSED THE NEED
FOR A CENTRAL DATABASE OF LEGAL HOLDERS OF RIGHTS TO
INTELLECTUAL PROPERTY; DEVELOPMENT OF EXPERTS' SKILLS;
COOPERATION WITH SECURITY SERVICES BY FIRMS WITH
REPRESENTATIVES IN COUNTRY (E.G. MICROSOFT PROVIDING
PERSONNEL TO HELP WITH INVESTIGATIONS).

22. (SBU) THE MINISTRY OF JUSTICE ALSO DISCUSSED THEIR
EFFORTS IN THE CONTEXT OF THE WTO, AND A DRAFT
RESOLUTION TO WORK ON A PROJECT TO JOIN WTO AND
HARMONIZE GOR LEGISLATION TO MEET REQUIREMENTS OF THE
WTO. ACCORDING TO THE RUSSIAN DELEGATION, THE DRAFT
PROJECT SEEKS TO AMEND THE GOR CRIMINAL CODE NOT TO
MAKE SANCTIONS TOUGHER BUT TO ENSURE THAT ALL POSSIBLE

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LEGAL RECOURSE OCCURS AGAINST PERSONS WHO COMMIT IP
CRIMES. THE GOR REMINDED THE US DELEGATION ABOUT THEIR
RESPONSE, FORWARDED LAST WINTER TO THE U.S., REGARDING
THE JULY 1998 U.S. OFFER OF ASSISTANCE IN IPR
ENFORCEMENT TRAINING. THE GOR RESPONSE SUGGESTED
DESIGNING A CURRICULUM FOR LAW STUDENTS AND PUBLISHING
A TEXTBOOK FOR AN IPR COURSE. THEY REQUESTED A
RESPONSE FROM THE U.S. REGARDING THIS PROPOSAL. WINER
ASSURED THE RUSSIAN SIDE THEY WOULD HAVE A U.S. STATUS

AUTO THEFT

23. (SBU) THE RUSSIAN SIDE LED THE AUTO THEFT DISCUSSION NOTING THAT THE GOR LACKS ADEQUATE STATISTICS REGARDING STOLEN VEHICLES IN RUSSIA. THE DELEGATION THEN NOTED EFFORTS TAKEN TO COMBAT AUTO THEFT INCLUDING A TREATY WITH SWEDEN ON THE RETURN OF STOLEN VEHICLES AND COOPERATION WITH LYON/INTERPOL DATABASE. THEY FURTHER NOTED, HOWEVER, THAT INTERPOL DOES NOT EFFECTIVELY DISSEMINATE THE NECESSARY INFORMATION TO THE GOR ON VEHICLES STOLEN IN THE U.S. AND TRANSPORTED TO RUSSIA. THEY ALSO DESCRIBED A GOR AUTO THEFT INTRANET SYSTEM FOR LAW ENFORCEMENT BODIES, BUT ACKNOWLEDGED THAT IT WAS NOT WORKING EFFECTIVELY. THE RUSSIANS FURTHER IDENTIFIED THE INTERSECTION OF AUTO THEFT WITH DOCUMENT FRAUD, CUSTOMS VIOLATIONS AND

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	EUR-01	OIGO-01	E-00	UTED-00	FRB-00	H-01	TEDE-00
	INR-00	IO-00	LAB-01	L-01	MCO-01	ADS-00	MOFM-04
	MOF-03	AC-01	NRRC-00	NSAE-00	NSCE-00	NSF-01	OES-01
	OIC-02	OMB-01	PA-00	PM-00	PRS-00	ACE-00	P-00
	SCT-00	SP-00	IRM-02	SSO-00	SS-00	STR-00	T-00
	USIE-00	SA-01	ASDS-01	FMP-00	EPAE-00	NISC-00	PMB-00
	DSCC-00	PRM-01	DRL-02	G-00	NFAT-00	SAS-00	/029W

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DOJ FOR DAAG RICHARDS

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DEA FOR OF/HORN, OFE/OGILVIE, BATISTA
EPA FOR OIA AND CEFT

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LOSSES OF REVENUE, THEREBY RECOGNIZING THE NEED FOR A
COMPREHENSIVE AND INTER-GOVERNMENTAL APPROACH.

24. (SBU) WINER RESPONDED NOTING THE THREE BIGGEST
DESTINATIONS FOR U.S. STOLEN CARS ARE CANADA, MEXICO
AND RUSSIA. HE RELAYED U.S. COMPLAINTS THAT THE MVD
WAS NOT RESPONSIVE TO REQUESTS FOR INFORMATION; THAT
THERE WERE EXORBITANT COSTS FOR STORING IMPOUNDED
VEHICLES IN RUSSIA; AND, GENERALLY, A LOW RATE OF
RETURN FOR THE U.S. R
EGARDING STOLEN VEHICLES (BOTH
FINANCIAL AND IN TERMS OF SUCCESSFUL REPATRIATION OF
VEHICLES).

25. (SBU) WINER THEN TURNED TO A DISCUSSION OF
POSSIBLE TRAINING TOPICS REGARDING AUTO THEFT,
INCLUDING WHAT TO LOOK FOR AT BORDERS, VINS,
INSTANTANEOUS DATA CHECKS AND INFORMATION/EXPERTISE
EXCHANGES. HE ALSO DESCRIBED A U.S. EFFORT (IN THE
FBI) TO CREATE A WEB-BASED DATABASE. HE SUGGESTED THE
POSSIBILITY OF A STOLEN CAR TREATY IF THE GOR WANTED TO
WORK IN THAT DIRECTION. WINER OFFERED TO PROVIDE THE
RUSSIANS WITH A MODEL U.S. AUTO THEFT AGREEMENT TO

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DEMONSTRATE THE U.S. APPROACH (AND REQUESTED A COPY OF
THE RUSSIAN-SWEDEN AGREEMENT FOR COMPARISON).

26. (SBU) THE RUSSIAN DELEGATION LED THE DISCUSSION OF ORGANIZED CRIME BY DESCRIBING GOR FOCUS ON BRINGING CRIMINALS TO JUSTICE, INCLUDING STOPPING 138 CRIMINAL ENTERPRISES AND CONFISCATING 800 MILLION RUBLES. THEY ALSO DISCUSSED CIS BORDER COOPERATION EFFORTS TO COMBAT SMUGGLING. THEY SAID OVER 235 ORGANIZED CRIME GROUPS WITH FOREIGN CONNECTIONS EXIST IN RUSSIA. THEY IDENTIFIED CRIMES COMMITTED IN RUSSIA BY ORGANIZED GROUPS, INCLUDING MONEY LAUNDERING, NARCOTICS, SMALL ARMS SMUGGLING, CAPITAL FLIGHT, AND USE OF LAUNDERED MONEY TO INVEST IN BIG RUSSIAN INDUSTRIES. OTHER MANIFESTATIONS OF ORGANIZED CRIME INCLUDE ALIEN SMUGGLING, FRAUDULENT DOCUMENTS, AND AUTO THEFT. FINALLY, THE RUSSIAN DELEGATION DESCRIBED EFFORTS TO ENHANCE COOPERATION WITH THE CIS -- AND THE BALTICS -- INCLUDING A JUNE 1999 MEETING OF HEADS OF UNITS MANDATED TO COMBAT ORGANIZED CRIME. THE RUSSIANS PROPOSED AN INITIATIVE TO SUGGEST AN AGREEMENT TO REFLECT COMBATING AUTO THEFT, HIGH TECH CRIME, COMPUTER CRIME, IPR, ETC. AND TO PROVIDE FOR THE RETURN OF PROPERTY AND COMPLY WITH THE G-8 MINISTERIAL.

27. (SBU) RICHARD RESPONDED BY ENCOURAGING CENTRALIZED PROSECUTORIAL EFFORTS AGAINST ORGANIZED CRIME GROUPS.
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BRUCE OHR OF DOJ'S ORGANIZED CRIME UNIT DESCRIBED THE U.S. SYSTEM WHEREBY A CENTRALIZED OFFICE ASSEMBLES INFORMATION ON ORGANIZED CRIME GROUPS AND DIRECTS AND COORDINATES PROSECUTIONS BROUGHT BY STRIKE FORCES. OHR HIGHLIGHTED THE NEED FOR CLOSE COOPERATIVE RELATIONSHIPS BETWEEN PROSECUTORS AND LAW ENFORCEMENT OFFICIALS. MOSCOW LEGAL ATTACHE EMPHASIZED THAT DESPITE INTERNATIONAL OBSTACLES TO COMBATING TRANSNATIONAL ORGANIZED CRIME, U.S.-RUSSIAN COOPERATION HAS RESULTED IN SEVERAL HIGH PROFILE CONVICTIONS OF ORGANIZED CRIME FIGURES IN THE UNITED STATES. WINER ASKED ABOUT RUSSIA'S INTEREST IN, INFORMATION ON AND ATTENTION TO THE SOLNTSEVO ORGANIZED CRIME GROUP AND ITS LEADER MIKHAILOV (ACQUITTED IN DECEMBER OF MONEY LAUNDERING IN SWITZERLAND). THE RUSSIAN RESPONSE WAS MEASURED AND MERELY SUGGESTED THEY WOULD LOOK INTO THE STATUS AND ACTIVITIES OF THE ORGANIZED CRIME GROUPS.

TRAFFICKING IN HUMANS

28. (SBU) WHILE THE U.S. FOCUSED ITS DISCUSSION ON TRAFFICKING OF WOMEN AND CHILDREN, THE RUSSIAN SIDE FOCUSED ON ILLEGAL IMMIGRATION AS A RESOURCE FOR CRIME GROUPS. THE RUSSIANS LED THIS DISCUSSION WITH COMMENTS ON THE SOCIAL AND ECONOMIC CONDITIONS AS FACTORS

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	INR-00	IO-00	LAB-01	L-01	MCO-01	ADS-00	MOFM-04
	MOF-03	AC-01	DCP-01	NRRC-00	NSAE-00	NSCE-00	NSF-01
	OES-01	OIC-02	OMB-01	PA-00	PM-00	PRS-00	ACE-00
	P-00	SCT-00	SP-00	IRM-02	SSO-00	SS-00	STR-00
	T-00	USIE-00	SA-01	ASDS-01	FMP-00	EPAE-00	NISC-00
	PMB-00	DSCC-00	PRM-01	DRL-02	G-00	NFAT-00	SAS-00

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DEA FOR OF/HORN, OFE/OGILVIE, BATISTA
EPA FOR OIA AND CEFT

TAGS: KCRM, PREL, KGCC, EFIN, SNAR, SENV, RS
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ENCOURAGING TRAFFICKING. TRAFFICKING IN PERSONS
THROUGH RUSSIA COMES FROM ASIA, BANGLADESH, NIGERIA, ET
AL. ILLEGAL IMMIGRANTS BECOME RESOURCES FOR CRIMINAL
GROUPS INCLUDING THE CHINESE, VIETNAMESE, AFGHANIS,
ANGOLANS AND IRAQIS, ACCORDING TO THE RUSSIAN
DELEGATION. RUSSIA HAS ENTERED INTO SEVERAL AGREEMENTS
WHICH SERVE AS INSTRUMENTS OF INTERNATIONAL COOPERATION
TO COMBAT ILLEGAL MIGRATION.

NARCOTICS

29. (SBU) COOPERATION AND ASSISTANCE IN THIS AREA WAS
PRAISED BY BOTH DELEGATIONS AND CHARACTERIZED AS VERY
SPECIFIC INTERACTIONS AND EXCHANGES OF INFORMATION.
THE RUSSIANS NOTED THE PENETRATION OF COCAINE CARTELS
FROM LATIN AMERICA THROUGH THE U.S. TO RUSSIA.
GENERALLY, COMMENTS REFLECTED THE STRONG COOPERATION
BETWEEN THE U.S. AND RUSSIAN LAW ENFORCEMENT AGENCIES.

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ENVIRONMENTAL CRIME

30. (SBU) THE U.S. DELEGATION LED THIS DISCUSSION
COMMENTING ON THE STRENGTH OF COOPERATION WITHIN THE
LYON GROUP AND G-8 IN TERMS OF IDENTIFYING
ENVIRONMENTAL CRIME AS BOTH A THREAT TO THE ENVIRONMENT
AND AN ECONOMIC CONCERN. ENVIRONMENTAL CRIMES
COMMITTED INCLUDE SMUGGLING OF CFCS INTO THE U.S. AND
ILLEGAL IMPORT OF RADIOACTIVE AND OTHER HAZARDOUS
SUBSTANCES INTO RUSSIA. EMBASSY EST OFFICER EVELYN
WHEELER EXPRESSED APPRECIATION FOR THE RECENT GOR
COOPERATION ON THE ENFORCEMENT OF THE BAN ON HIGH SEAS
DRIFTNET FISHING. SHE DIRECTED THE RUSSIAN DELEGATION
TO AN INTERNET SITE (WWW.INECE.ORG.) REGARDING AN
INTERNATIONAL NETWORK ON ENVIRONMENTAL COMPLIANCE AND
ENFORCEMENT WHICH INCLUDES 85 COUNTRIES, NGOS, THE
U.N., WORLD BANK, INTERPOL AND THE WORLD WILDLIFE FUND,
ET AL. WHEELER CONCLUDED WITH A REQUEST FOR AN UPDATE
ON THE STATUS OF RUSSIA'S ECOLOGICAL COURT WHICH WAS

HIGH TECH CRIME

31. (SBU) THE U.S. DELEGATION STRESSED THE IMPORTANCE
OF MAINTAINING A 24-HOUR POINT OF CONTACT NETWORK OF
HIGH TECH LAW ENFORCEMENT EXPERTS; NOTED THAT THE ISSUE
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OF TRANSBORDER SEARCHES HAS OCCUPIED A LOT TIME IN THE
G-8 DISCUSSIONS; AND GENERALLY ENDORSED THE EFFORTS OF
THE G-8 ON HIGH TECH CRIME. THE U.S. EXPRESSED CONCERN
OVER THE THREATS OF Y2K SYSTEM PROBLEMS WHICH WOULD
OFFER AN OPPORTUNITY FOR CRIME. THEY SUGGESTED THE G-8
TAKE A LEAD TO ESTABLISH A MECHANISM TO INFORM OTHERS
OF THE THREAT OF VIRUSES, ETC., STEMMING FROM Y2K AND
THE ROLE A 24-HOUR NETWORK WOULD PLAY IN ALERTING
COUNTRIES TO THE CRIMES AND PATTERNS OF CRIME THAT ARE
Y2K RELATED. THE U.S. PROPOSED THAT AT THE FALL G-8
MINISTERIAL IN MOSCOW THE PARTIES COULD DECIDE TO
ASSIST EACH OTHER WITH Y2K THREATS AND TO PROVIDE
TIMELY INFORMATION.

32. (SBU) THE GOR AGREED TO THE U.S. PROPOSAL FOR
COOPERATION ON THE Y2K THREAT. THE MVD HIGHLIGHTED THE
IMPORTANCE OF COOPERATION ON HIGH TECH CRIMES DUE TO
THE BORDERLESS NATURE; THE RAPID COMMISSION; AND THE
DIFFICULTY OF CAPTURING INFORMATION AND DATA OF CRIMES
COMMITTED. THE MVD FURTHER NOTED THE 24-HOUR
INTERNATIONAL POINT-OF-CONTACT NETWORK IS
INDISPENSABLE. THE RUSSIAN DELEGATION EXPRESSED
APPRECIATION FOR U.S. TRAINING, BUT ENCOURAGED
ESTABLISHING CONTACTS BETWEEN SPECIALISTS, SUGGESTING A
MUTUAL INTEREST IN EXCHANGING INFORMATION ON TACTICS
AND METHODS OF COMBATING HIGH TECH CRIMES.

CUSTOMS ISSUES INCLUDING CHILD PORNOGRAPHY

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	MOF-03	AC-01	NRRC-00	NSAE-00	NSCE-00	NSF-01	OES-01
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	SCT-00	SP-00	IRM-02	SSO-00	SS-00	STR-00	T-00
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EPA FOR OIA AND CEFT

E.O. 12958: N/A

TAGS: KCRM, PREL, KGCC, EFIN, SNAR, SENV, RS

SUBJECT: BILATERAL LAW ENFORCEMENT WORKING GROUP

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33. (SBU) U.S. CUSTOMS MOSCOW ATTACHE CHARACTERIZED COOPERATION BETWEEN THE GOR AND THE U.S. ON CUSTOMS ISSUES AS GOOD. HE DESCRIBED TECHNIQUES AND TOOLS TO INVESTIGATE CHILD PORNOGRAPHY, INCLUDING UNDERCOVER OPERATIONS OVER THE INTERNET AND THROUGH THE MAIL. THE RUSSIAN STATE CUSTOMS COMMITTEE ALSO CHARACTERIZED COOPERATION AS SUCCESSFUL. REGARDING CHILD

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PORNOGRAPHY, THE RUSSIANS NOTED THAT THE PROBLEM WAS
SMALL AND 95 PERCENT OF PORNOGRAPHY WAS DISTRIBUTED
THROUGH TELECOMMUNICATION SYSTEMS USING CRYPTOLOGY AND
OTHER METHODS TO DISGUISE EFFORTS. CUSTOMS COMMENTED
ON THE DIFFICULT NATURE OF INVESTIGATING CHILD
PORNOGRAPHY AS A RESULT OF ITS HIGH TECH NATURE.

ASSISTANCE PROGRAM

34. (SBU) WINER LED THE DISCUSSION ON ASSISTANCE BY
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HIGHLIGHTING THE AGENCIES AND TYPES OF PROGRAMS FUNDED,
NOTING ESPECIALLY THE INTENSE EFFORTS IN MONEY
LAUNDERING AND ORGANIZED CRIME. HE IDENTIFIED TRAINING
APPROVED FOR FY 99 ADDRESSING OBJECTIVES SUCH AS
CORRUPTION, NARCOTICS, FIREARMS AND EXPLOSIVES
IDENTIFICATION, INTELLECTUAL PROPERTY RIGHTS, POLICE
SCIENCES, MONEY LAUNDERING AND FINANCIAL CRIMES,
ORGANIZED CRIME, AUTO THEFT AND JUDICIAL ASSISTANCE.

35. (SBU) THE GOR IDENTIFIED ITS TRAINING INTERESTS
AND PRIORITIES AS HIGH TECH CRIME, IPR AND FINANCIAL
CRIME. THEY NOTED THAT NARCOTICS AND ALIEN SMUGGLING
ASSISTANCE HAD BEEN GOING VERY WELL. WINER ENCOURAGED
THE GOR TO RESPOND TO THE U.S. IN WRITTEN FORM
REGARDING PRIORITIES TO MAKE CLEAR WHERE WE ARE GOING,
AT WHAT SPEED AND IN WHAT PRIORITY AREAS.

36. (SBU) MARGO SQUIRE, FROM THE OFFICE OF USG
ASSISTANCE COORDINATION, ALSO DESCRIBED LIMITATIONS ON
USG ASSISTANCE TO THE GOR BECAUSE OF CONGRESSIONAL
RESTRICTIONS. SHE EXPLAINED THAT CONCERN ABOUT RUSSIAN
SUPPORT FOR IRAN MEANT A 50 PERCENT CUT IN OUR LAW
ENFORCEMENT ASSISTANCE TO THE GOR THIS YEAR. SHE
STRESSED THAT IT IS IMPORTANT FOR US TO PRIORITIZE OUR
ASSISTANCE AND WE WELCOME RUSSIAN FEEDBACK TO HELP US.
FINALLY, SHE ADDED THAT DESPITE CUTS, THE USG CAN
LEVERAGE SUPPORT FROM OTHER DONORS.

G-8 MOSCOW CRIME MINISTERIAL

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37. (SBU) THE GOR CONFIRMED OCTOBER 19-20 AS THE DATES
FOR THE G-8 CRIME MINISTERIAL IN MOSCOW. THE
PREPARATORY MEETING WILL BE HELD JULY 12-13, ALSO IN
MOSCOW. THE RUSSIANS ARE ADDRESSING AND RESOLVING THE
QUESTION OF INVITING FINANCE MINISTERS AS PROPOSED -
BOTH LAW ENFORCEMENT AND BANKING ADMINISTRATORS SHOULD
BE REPRESENTED. THE GOR INDICATED THAT BY THE END OF
MAY THEY WOULD EXTEND INVITATIONS TO THE PREPARATORY
MEETING IN JULY. THE PGO NOTED THE PREPARATORY MEETING
SHOULD DISCUSS A CONCLUDING DOCUMENT OF THE CONFERENCE
THAT WOULD INCLUDE PARTICIPANTS' APPROACHES TO THE
PROBLEMS ON THE AGENDA. THE PGO FURTHER NOTED THAT THE
AGENDA SHOULD BE A REFLECTION OF JOINT APPROACHES
INCLUDING IMPROVING LEGISLATIVE PROCESSES AND
ASSISTANCE COOPERATION IN CONFISCATION AND ASSET
SHARING.
COLLINS

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